



STATE OF NEW YORK
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December 15, 2022

Via CM/ECF

Honorable Daniel J. Stewart
United States Magistrate Judge
United States District Court, Northern District of New York
James T. Foley United States Courthouse
Albany, New York 12207

Re: *Variscite NY One, Inc. v. State of New York et al.*
Northern District of New York
1:22-cv-1013 (GTS/DJS)

Dear Judge Stewart:

Our Office represents Defendants in the above-referenced action. On November 2, 2022, Defendants filed a pre-answer motion to dismiss for failure to state a claim and lack of subject matter jurisdiction (ECF Nos. 22, 30 & 32), which is now fully submitted and pending before the Court.

In light of Defendants' pending motion to dismiss, we respectfully request an adjournment of the January 4, 2022 Rule 16 Conference and ask that the civil case management plan and mandatory disclosures be stayed pending the Court's resolution of Defendants' motion to dismiss. Thank you for your consideration of this request.

Thank you for your attention to this matter and courtesy in this regard.

Respectfully,
By s/ Amanda Kuryluk
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